

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



November 3, 1992

ALL-COUNTY INFORMATION NOTICE I-60-92

. TO: ALL PUBLIC AND PRIVATE ADOPTION AGENCIES
ALL SDSS ADOPTIONS DISTRICT OFFICES

SUBJECT: SENATE BILL 1148 (CHAPTER 1353, STATUTES OF 1992)

The Governor has signed Senate Bill 1148 (Bergeson) which will markedly restructure the Independent Adoption Program, effective January 1, 1994. The most salient features of this legislation affect only placements with nonrelatives and include:


- o Birth parents must be advised of their rights and responsibilities at least ten days prior to signing an adoption placement agreement. The advising will be done by either licensed private adoption agencies or Licensed Clinical Social Workers (LCSWs) who have been certified to have at least five years experience in adoptions by the Board of Behavioral Science Examiners. The child cannot be released to the prospective adoptive parents until the adoption placement agreement has been signed and witnessed.
- o The placing parent will sign a placement agreement at the time of placement that, if not revoked, will automatically become a consent to adoption 120 days after being signed. The agreement will be signed in the presence of the person who advised the birth parent.
- o The placing parent will, at any time before the end of the 120-day period, be able either to waive his or her right to revoke the placement agreement, thus making the consent permanent, or to revoke the placement agreement and reclaim his or her child.

In all independent adoptions, the bill limits the use of consents signed in other states to situations where the parent does not reside in California or is outside California for an extended period of time for reasons unrelated to the adoption.

Independent adoptions will continue to be investigated and reports prepared for the court by the Department or delegated county adoption agencies.

This new law has several technical problems. The Department understands that the author intends to introduce clean-up legislation to address these and other unresolved issues in the law before the January 1, 1994 operational date for the new statutes enacted by SB 1148.

Questions regarding SB 1148 should be addressed in writing to the staff of the Adoptions Policy Bureau.



LOREN D. SUTER
Deputy Director
Adult and Family Services

cc: CWDA